

REMARKS

The Examiner has required that one of two species be elected: species I (Figure 3), and species II (Figure 4), and further alleges that no claim is generic. Applicant has elected species I, but elects with traverse for at least the reasons described below.

Although the flow diagrams of Figures 3 and 4 have features unique to each, many claims contain elements found in both Figures 3 and 4, and would be generic to both species.

Each and every element of claim 1 is found in both species. Specifically, “determining a position of the machine” is found in Fig. 3, step 302, and Fig. 4, step 402; “determining a position of the object” is found in Fig. 3, step 304, and Fig. 4, step 404; “transmitting the determined position of the object from the object to the machine” is found in Fig. 3, step 306, and in Fig. 4, the combination of steps 404, 406, and 408; and displaying the position of the object” is found in Fig. 3, step 312, and Fig. 4, step 412.

The element of claim 2, transmitting an ID code, is found in Fig. 3, step 308, and Fig. 4, step 410.

The element of claim 3, displaying the ID code, is found in Fig. 3, step 314, and Fig. 4, step 414.

The elements of claim 5 are found in both species. Tracking movement of the machine and object is found in Fig. 3, step 316, and Fig. 4, step 416. Displaying movement of the machine and object is found in Fig. 3, step 318, and Fig. 4, step 418.

Although claim 14 is an apparatus claim and does not correlate directly with the flow diagrams of Figures 3 and 4, each and every element of claim 14 may be used to perform the steps in both Figures. A first position determining system located on the object is used to “DETERMINE POSITION OF OBJECT” (Fig. 3, step 304, Fig. 4, step 404). A first transmitting and receiving system located on the object is used to “TRANSMIT OBJECT ID CODE TO MACHINE” (Fig. 3, step 308, Fig. 4, step 410). A second transmitting and receiving system located on the machine is needed to receive the transmitted signals from the object. A display located on the machine is used to “DISPLAY OBJECT POSITION TO MACHINE OPERATOR” (Fig. 3, step 312, Fig. 4, step 412), “DISPLAY

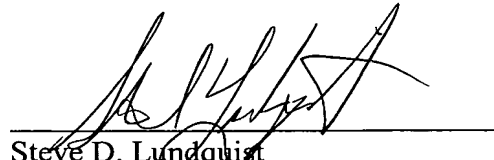
- OBJECT ID CODE TO MACHINE OPERATOR” (Fig. 3, step 314, Fig. 4, step 414), and
• “DISPLAY MOVEMENTS OF OBJECT AND MACHINE TO MACHINE OPERATOR”
(Fig. 3, step 318, Fig. 4, step 418). A controller located on the machine receives the position information and provides the information to the display, as depicted in Fig. 3, steps 312 and 318, and Fig. 4, steps 412 and 418.

Claim 30 is generic to both species for the same reasons as shown above for claim 1 and further for transmitting an ID code (Fig. 3, step 308, Fig. 4, step 410), and displaying the ID code (Fig. 3, step 314, Fig. 4, step 414).

Claims 33 and 34 are generic to both species for all of the reasons described above.

Applicant urges that the above examples of both species (Figures 3 and 4) having several generic claims clearly indicates that the species are not patentably distinct, but rather are merely variations of Applicant’s claimed invention.

Respectfully submitted,



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